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August 16, 2008

**BY E-MAIL AND REGULAR MAIL**

Kelly G. Keenan, Esq.  
Legal Counsel to the Governor  
111 S. Capitol Ave,  
Lansing, MI 48909

**Re; Petition and Charges to Governor Seeking**  
**Removal of Honorable Kwame M. Kilpatrick**

Dear Mr. Keenan,

Attached please find a supplemental witness list. As this was supposed to have been produced yesterday, we respectfully ask leave to file this notice one day late. The proposed purpose of Professor Hammer's testimony will be to address a very simple and narrow question of law as to the legal effect and nature of the settlement agreements entered into in connection with the *Brown/Nelthrope/Harris* settlements. The

explanation for the lateness of the filing is that we did not get a confirmation from Professor Hammer until yesterday midday and simply did not have the time to include it, given the press of so much else that went on yesterday in connection with these matters.

Respectfully,

/S/

William Goodman  
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Detroit, Michigan 48207  
(313) 567 6170

Mr. David Whitaker Esq.  
Director, Research and Analysis Division  
Detroit City Council  
2 Woodward Avenue  
Coleman A. Young Municipal Bldg  
Detroit, Michigan 48226

cc: Sharon McPhail, Esq.; James Thomas, Esq.

STATE OF MICHIGAN  
IN THE OFFICE OF THE HONORABLE JENNIFER GRANHOLM  
GOVERNOR

**In Re:**

**Petition and Charges of the Detroit City Council**

**Against**

**Honorable Kwame M. Kilpatrick**  
**Seeking His Removal for Acts of Official Misconduct**

**Petitioner's Supplemental Witness List and**  
**Brief Description of Proposed Testimony of Said Witness**

NOW COMES Petitioner and hereby notifies the Respondent that the Petitioner will or may call the following witness. Petitioner also herein notifies the Respondent as to the area of questions that Respondent proposes to ask this witness. Petitioner reserves the right to question this witness with regard to other matters should such matters emerge or arise during the cross examination of opposing counsel:

1. Professor Peter Hammer - may testify as to the legal effect and nature of the settlement agreements entered into in connection with the *Brown/Nelthrope/Harris* settlements. (see attached biography)

\_\_\_\_\_/S/\_\_\_\_\_  
William Goodman  
Goodman & Hurwitz, P.C.  
Special Counsel  
Detroit City Council

David Whitaker  
Director, Div. of Research and Analysis  
City of Detroit, City Council  
2 Woodward Avenue, Ste. 216  
Detroit, Michigan 48226

Dated: **August 16, 2008**

**CERTIFICATE OF SERVICE**

I hereby certify that on or by **16 August 2008**, I served the foregoing *Witness List*, by e-mail, fax and hand delivery to counsel for the Honorable Kwame M. Kilpatrick, specifically Sharon McPhail, Esq. (313-224-4128) and James Thomas, Esq. (313-963-9258).

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## Peter J. Hammer, J.D., Ph.D.

### **Background**

Professor of Law  
Office: Room 3225  
Telephone: (313) 577-0830  
E-Mail: [phammer@wayne.edu](mailto:phammer@wayne.edu)

### **EDUCATION:**

B.A., B.A., B.S., Gonzaga University  
J.D., Ph.D (economics) University of Michigan

### **COURSES:**

Contracts  
Health Law  
Health Policy: The Firm, The Market & The Law  
International Organizations and Public Health

### **EDUCATION:**

B.A., B.A., B.S., Gonzaga University  
J.D., Ph.D (economics) University of Michigan

### **COURSES:**

Contracts  
Health Law  
Health Policy: The Firm, The Market & The Law  
International Organizations and Public Health

## PROFILE

A Professor at Wayne State University Law School since 2003, Professor Hammer specializes in Health Law & Policy, examining the industry from an institutional economic perspective. He is a recipient of an Investigator Award in Health Policy Research from the Robert Wood Johnson Foundation, and served as lead editor for *Uncertain Times: Kenneth Arrow and the Changing Economics of Health Care*, a book published by Duke University Press (2003). Before joining Wayne State, Professor Hammer spent several years on the faculty of the University of Michigan Law School. He is presently an Adjunct Professor at the University of Michigan School of Public Health in the Department of Health Management and Policy.

Prior to entering academia, he was an associate at the Los Angeles office of O'Melveny & Myers, where he maintained an active practice in antitrust, health law, and the presentation of expert economic testimony. Professor Hammer received his undergraduate education at Gonzaga University and completed his professional and graduate education at the University of Michigan, where he received a J.D. and a Ph.D. (economics). Before entering private practice, he clerked for the Honorable Alfred T. Goodwin, former Chief Judge of the Ninth Circuit U.S. Court of Appeals.

Recent health care publications include: (1) *The Architecture of Health Care Markets: Economic Sociology and Antitrust Law*, Hous. J. Health L. & Policy (forthcoming 2007); (2) *Competition and Quality as Dynamic Processes in the Balkans of American Health Care*, 31 J. Health Politics, Policy & Law 473 (Special Issue, Evaluation of DOJ/FTC Report Improving Health Care: A Dose of Competition Peter D. Jacobson and David A. Hyman, eds.) (2006); (3) *The Trials of Tenofovir: Mediating the Ethics of Third-World Research*, 4 U. Santa Clara J. Int'l L. (2006); 9 U. Tech. Sydney L. Rev. 184 (2005) (with Tammy Sue Lundstrom); (4) *Medical Code Blue or Blue Light Special: Where is the Market for Indigent Care?*, 6 J.L. Soc'y 82 (2005)

and (5) *Monopsony as an Agency and Regulatory Problem in Health Care*, 71 Antitrust L. J.949(2004) (with William M. Sage).

At Wayne State, Professor Hammer has helped redesign the School's growing Health Law curriculum. In addition to Contracts in the first curriculum, he teaches courses in Health Care Quality, Licensing & Liability; Health Care Organization & Finance; International Organizations & Public Health, and Health Policy: The Firm, The Market & The Law.

Professor Hammer maintains an active interest in international health policy and questions of law & development, with a particular focus on Cambodia. In 2007, he was Visiting Professor at the Center for Khmer Studies, teaching in their Capacity Building in Cambodian Higher Education program focusing on *Cambodia at the Margins: Minority Groups and Borderlines*. Professor Hammer is also the recipient of two research grants from the Center for Khmer studies, (1) *Interfacing Local & Global: Cambodian Institutions and International Aid Initiatives* and (2) *The Role of Social Institutions in Cambodian Economic Development*.

Professor Hammer was a founding Board Member and past-President of Legal Aid of Cambodia, a non-profit, non-governmental organization providing free legal services to Cambodia's poor. At the University of Michigan Law School, he founded and directed the school's Program for Cambodian Law & Development. He is presently a Board Member of the Life & Hope Association, and organization in Siem Reap, Cambodia, run by Buddhist monks to address the needs of orphans and vulnerable children.

His writings on Cambodia include: *The Elusive Face of Cambodian Justice*, in *Awaiting Justice: Essays on Accountability in Cambodia* (Beth Van Shaack, ed.) (Mellon Press) (2005) and *Competition Law in Cambodia*, in *Competition Law and Policy in ASEAN Countries*, (G.Sivalingam, ed.) (Consumer International) (2004).